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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/754,530	01/04/2001	Gerald A. Lavallee	21423	2547

24932 7590 12/18/2003

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EXAMINER

LEE, EDMUND H

ART UNIT

PAPER NUMBER

1732

DATE MAILED: 12/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/754,530

Applicant(s)

LAVALLEE, GERALD A.

Examiner

EDMUND H. LEE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 08 October 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Giza (USPN 4959000) in view of Dickson et al (USPN 2361348). In regard to claim 1, Giza teach the basic claimed mold including an injection mold for applying a cover layer to golf balls (col 4, lns 2-49; figs 2 and 5); upper and lower support plates each containing at least one hemispherical cavity (col 4, lns 2-49; figs 2 and 5); the upper and lower hemispherical cavities being adapted to mate to define at least one spherical cavity when the plates are brought together (col 4, lns 2-49; figs 2 and 5); a plurality of retractable core pins arranged in the lower support plates and extendable into each of the lower hemispherical cavities for supporting a core of a golf ball within the spherical cavity (col 4, lns 2-49; figs 2 and 5); and means for supplying fluid thermoplastic material to each of the cavities to form a cover on the golf ball core, the supplying means including a valve pin arranged in gate in the upper plate in a center of the upper hemispherical cavity adjacent to a pole of the golf ball formed in the cavity, the valve pin being operable between a second position wherein the pin is retracted into the upper support plate out of contact with the core to allow the thermoplastic material to fill the cavity, and a third position wherein the pin closes the gate to stop the supply of the thermoplastic material into the cavity (col 4, lns 2-49; figs 2 and 5).

However, Giza does not teach a first position wherein the pin extends into the cavity to engage the core and to allow thermoplastic material to enter the cavity and surround the core. Dickson et al teaches an injection mold for applying a cover layer to golf balls (figs 1-2); and gate pins that extend into the mold cavity to support the golf ball core and to allow filling of the mold cavity with a cover material (figs 1-2). Giza and Dickson et al are combinable because they are analogous with respect to forming golf ball by using an injection mold that flows cover material past a pin into the mold cavity. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to enable the valve pin of Giza to also act as a support pin as taught by Dickson et al in order to ensure proper positioning of the golf ball core of Giza. In regard to claims 2-7, Giza teach a displacing means (col 4, lns 2-49; figs 2 and 5); a valve pin having a contoured lower surface to form a dimple at the pole of the golf ball when the pin is in the third position (col 4, lns 2-49; figs 2 and 5); and retractable core pins arranged laterally and equally spaced about the lower hemispherical cavity (col 4, lns 2-49; figs 2 and 5). However, Giza do not teach a heated manifold; retractable core pins that are equally spaced about the lower hemispherical cavity and have longitudinal axes arranged substantially perpendicular to parting lines defined where the cavities terminate at a surface of the plates; and a vent pin arranged in an opening in the lower plate. In regard to a heated manifold, such is well-known in the injection mold art in order to ensure that the material remains fluid. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to enable the manifold of Giza to be heated in order to achieve the above result. In regard to retractable core

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pins that are equally spaced about the lower hemispherical cavity and have longitudinal axes arranged substantially perpendicular to parting lines defined where the cavities terminate at a surface of the plates, such is well-known in the golf ball molding art.

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include retractable core pins that are equally spaced about the lower hemispherical cavity and have longitudinal axes arranged substantially perpendicular to parting lines defined where the cavities terminate at a surface of the plates in the mold of Giza in order to maintain the position of the core within the mold cavity of Giza. In regard to a vent pin arranged in an opening in the lower plate, Giza uses stops 108 to form a gap between the mold halves in order to release air during the molding process. It is well-known in the injection molding art to use vent pins in order to release air within a mold cavity. Further, it is well-known in the molding art that stops and vent pins are substitutable alternatives that have identical functions. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a vent pin in the lower plate of Giza instead of stops 108 in order to release air from the mold cavity of Giza.

3. Applicant's arguments with respect to claims 1-7 have been considered but are moot in view of the new ground(s) of rejection.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDMUND H. LEE whose telephone number is 703.305.4019. The examiner can normally be reached on MONDAY-THURSDAY FROM 9AM-4PM.

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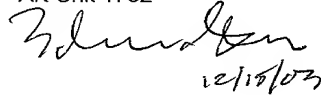
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Colaianne can be reached on 703.305.5493. The fax phone number for the organization where this application or proceeding is assigned is 703.872.9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703.308.0661.

EDMUND H. LEE  
Primary Examiner  
Art Unit 1732



12/18/03

EHL